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## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAUREN DATTILO-BARKER : CIVIL ACTION

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DARTMOUTH PHARMACEUTICALS

INC. : NO. 12-3540

## ORDER

AND NOW, this 10th day of October, 2012, upon consideration of defendant's Motion to Dismiss (Docket Nos. 8 and 9), the plaintiff's oppositions thereto, an on-the-record telephonic oral argument held on September 25, 2012, and letter responses from both parties, IT IS HEREBY ORDERED that, for the reasons stated in a memorandum of law bearing today's date, said motion is DENIED.

BY THE COURT:

/s/ Mary A. McLaughlin MARY A. McLAUGHLIN, J.